

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR08-054-RSM
)
Plaintiff,)
)
v.)
) DETENTION ORDER
JAMES L. DECOTEAU,)
)
Defendant.)
_____)

Offense charged: Kidnaping, Use of a Firearm During and in Relation to Kidnaping

Date of Detention Hearing: June 18, 2008

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant had been indicted, together with a co-defendant, for allegedly kidnaping the ex-wife of his co-defendant and transporting her to Montana, and is alleged to have assisted

01 the co-defendant in duct taping the boyfriend of the ex-wife, beating him with a fireplace poker,
02 the blunt side of a hatchet, and the handle side of a shotgun.

03 2. Defendant has limited ties to this District. Most of his ties are in Montana. He
04 proposes to reside with his aunt in Auburn, Washington, but she has had no contact with him since
05 he was a teenager. Current controlled substance use is indicted in the pretrial report. Defendant's
06 criminal history includes alcohol related offenses, obstructing a peace officer, and carrying a
07 concealed weapon.

08 3. Defendant poses a risk of nonappearance because of limited ties to this District,
09 the potential penalty for the current charges (a maximum sentence of life imprisonment) and
10 controlled substance use. He poses a risk of danger due to controlled substance and the nature
11 of the current charges. The proposed residential placement is not adequate to address these risks.

12 4. There does not appear to be any condition or combination of conditions that will
13 reasonably assure the defendant's appearance at future Court hearings while addressing the danger
14 to other persons or the community.

15 It is therefore ORDERED:

16 (1) Defendant shall be detained pending trial and committed to the custody of the
17 Attorney General for confinement in a correction facility separate, to the extent
18 practicable, from persons awaiting or serving sentences or being held in custody
19 pending appeal;

20 (2) Defendant shall be afforded reasonable opportunity for private consultation with
21 counsel;

22 (3) On order of a court of the United States or on request of an attorney for the

01 Government, the person in charge of the corrections facility in which defendant is
02 confined shall deliver the defendant to a United States Marshal for the purpose of
03 an appearance in connection with a court proceeding; and

- 04 (4) The clerk shall direct copies of this Order to counsel for the United States, to
05 counsel for the defendant, to the United States Marshal, and to the United States
06 Pretrial Services Officer.

07 DATED this 19th day of June, 2008.

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09 Mary Alice Theiler
10 United States Magistrate Judge
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